

Nantucket Board of Selectmen

Report to the People of Nantucket

2005 - 2006

Nantucket's Town Charter provides that the Chairman of the Board of Selectmen will report annually to the people of the town, on the board's work over the prior year. What follows is my review of the year beginning April 6, 2005.

Two important themes for the Board throughout the year were the questions of what makes for effective government, and how does the board go about its work. With these themes as a starting point, the substance of the board's work is divided into two sections: a review of the major goals that the board set for itself, and some notes on what other issues have cropped up unexpectedly as the year progressed. I have closed the report with a few thoughts on what issues/ concerns we may be dealing with in the near future.

My thanks to my fellow Selectmen for their hard work over the year, and to the Town Administrator's office, in particular to Elizabeth Gibson for the dedicated commitment to the Board's mission. Together, we will continue to serve the people of Nantucket by working to provide what is set out in the Town Charter and at Annual Town Meeting.

Michael Glowacki
Chairman, Nantucket Board of Selectmen
March 15, 2006

Preface: Effective local government.

What is effective government?

The answer may be what parliamentarian Henry Robert (Robert's Rules of Order) had in mind when he said so famously:

“The great lesson for democracies to learn is for the majority to give to the minority a full, free opportunity to present their side of the case, and then for the minority, having failed to win a majority to their views, gracefully to submit and to recognize the action as that of the entire organization, and, cheerfully to assist in carrying it out, until they can secure its repeal.”

The Massachusetts Municipal Association, in its Handbook for Massachusetts Selectmen, notes that:

“Town government in New England is largely government by committee and the legal authority of selectmen is limited to actions taken by the board as a whole. This structure, so different from what most people have experienced in their professional and social lives, is often a difficult adjustment for new selectmen.

Effective leaders will make decisions based on facts, data and logic, even when those decisions are unpopular. They lead by example, and they solve problems by looking for the root cause.

Teamwork can be developed if individual selectmen understand that effectiveness is not achieved by individual action, but by a board of selectmen acting in concert.”

With these ideals in mind, the selectmen set out this past year to establish practices and to adopt meeting protocols that would promote teamwork while always protecting the voice of any minority.

First, we defined teamwork as something that did not always guarantee that one's own views prevail, and we spent some time early in the year setting standards of behavior for the Board with respect to decision-making. These included:

- Recognition that a board of selectmen operates as a collective decision making body. Matters are decided with a decision by the entire board, and the desires and decisions of an individual member have no particular meaning on their own. Each selectman has a responsibility to be prepared, and to advocate for his/her own principles, values, and viewpoints. Preparedness, then, and clear guiding principles, are prerequisites for constructive participation.
- Recognition that when a decision of the board is personally disagreeable, one must take care to conduct oneself in a manner that respects the board's decision. Individual selectmen need to conduct themselves in a way that recognizes the distinctions: between board business, and personal pursuits; and between genuine cooperative persuasion based in reason, logic, and values, and blatant political pressure tactics.
- An important concept in effective teamwork is to recognize that board meetings are for conducting board business, not individual business.

Second, honoring a long stated goal of the Board of Selectmen, we gave priority to the concept of information based decision making. Our considered intent has been: first, to understand the facts, then to gather input, and then to deliberate toward a decision. We had confidence that by following such a standard, we would likely make decisions that reflect the will of the community. Accordingly, the board instituted some new practices in the conduct of meetings, and in the conduct of business with town administration.

- The board moved to increase advance notice of the important agenda topics. We do this through announcements at meetings, posting on the town web site, and notification to the press.
- The board committed to inviting public input at appropriate times in the meeting. Public input can be vital to a well considered decision, yet the ultimate responsibility for each decision rests with those elected to make them.
- When initiatives do come forward without advance notice (typically under public comment, or through individual selectmen), then the board has agreed to schedule action for a future meeting in order to allow public input from those who may have an interest in the matter.

- The board has recognized the need to organize the meeting schedules and topics so that the staff is able to work in a meaningful direction, methodically; and so that topics and decisions would provide clear direction to staff, allowing reasonable time to get to the next step.

Third, we needed, too, to promote an increased understanding of how the work of the board relates to the annual cycle of town meeting. We began a cycle based on the annual calendar:

Town Election: the people speak

Town Meeting: Do we discern any trends, or themes from Town Meeting actions?

BOS Mission: Revisit the board's mission statement – let's be sure that all selectmen agree on this. Then, let's work to increase awareness of the board's own mission and responsibilities, and to integrate the day-to-day operations of the town government with that mission.

Goals: Review and update the goals. Let's keep it to a realistic number, and be sure that they are consistent with the mission. We wanted to be able to support the town administration, with every expectation that town departments would focus on the goals adopted by the board, and without meddling in day to day matters.

Specific Objectives: Let us make sure that the individual objectives toward each goal are distinct and measurable.

BOS Agenda Planning: Let us develop each agenda according to the Mission/ Goals/Objectives. Be clear on the question that BOS needs to resolve.

BOS Actions: are taken by vote, in public, and recorded in the minutes.

Report to the People: as provided by Town Charter.

Town Elections: After the Town Meeting and elections, begin anew, with careful thought on any emerging trends or directions.

Immediate Goals.

With these important benchmarks in place, the board quickly recognized that there was widespread agreement on identifying the big four topics: Municipal finance, beach access, wastewater issues, and the growth management dialogue. We placed each of these topics onto our agenda early on, so that we could get to work on them while concurrently identifying our other goals.

Municipal Finance:

Through the many meetings and hearings at the Finance Committee level in preparation for the special town meeting in the fall 2004, and the annual town meeting last April; and then, at the town meetings themselves, discussions of finance had centered on the emerging importance of costs being accurately assigned to the root causes: “Put the costs where they are generated”, especially when it comes to extending our infrastructure.

Recognizing that we are in an era where annual property tax increases of 2 ½ per cent will not be sufficient to meet the town’s needs; we knew that the budget processes would need to be updated. The board moved immediately in the areas of management and finance to define parameters for finance decisions. Policies derived from recognized best practices now guide the board and the finance committee in the use of the town’s stabilization fund and in the annual appropriation of free cash.

We heard from the Finance Director on the issues that had concerned the Massachusetts Department of Revenue during the prior year, and on what was being done about them. We learned about the improvements in internal process that would facilitate compliance with state regulations, and we set out ambitious timelines for those processes and for the annual budget cycle. We asked the school committee and finance committee to meet with us publicly at critical points in the budget cycle to be certain that we all worked with the same (current) information and projections.

Next, the department heads from the larger town departments addressed the board on the issues within each department, and on what each department was doing to further the goals adopted by the Board of Selectmen.

In February 2006, the board heard these observations from the chairman of the finance committee:

“Over the past five years the tax revenue available to the Town has increased an average of 5.5% per year...During the same period, the combined cost of compensation, health insurance and pension costs have increased at close to 8% per year. The Town has been able to fund this

discrepancy by severely limiting non-salary and health insurance expenses. Clearly this cannot continue without some adjustment. Higher levels of taxes, new sources of revenue, moderating growth in expenses or some combination of all three will be required to maintain the level of community services provided by Town government.

While the FinCom has not come to a final recommendation on this year's budget, it is reasonable to anticipate a ballot vote will be necessary to approve the amount required to run the town and schools for FY 2007. There is no better way for the citizens to express their opinion in regard to the level of expenditures and taxes than by casting a vote.

A final note. The community needs to develop an approach to balancing tax burdens and service levels that allows longer range planning to take place. If there was broad agreement that the BOS, SC and the FinCom could reach on a level of financial resources expected to be available over say the next three to five years, the annual budget process could focus on priorities and programs that best fit with the projected means".

This final note fits directly with the adopted goal to improve fiscal management. The interest that members of the finance committee have indicated in working with the BOS at the outset of future budget cycles (to set out parameters for budget development) should bring clearer choices to the voters at future town meetings. This potential for a fresh direction is the direct result of many meetings between individual selectmen and members of the finance committee, over the past year. This is perhaps one of the least obvious, yet fundamentally most important accomplishments of the board this past year.

The board will be taking up this potential new direction early in the next cycle.

Beach Access:

The issues surrounding beach access have been with us for a long time. In recent years the courts had reversed an eminent domain taking of the roadways to the ocean at Surfside Beach. In that ruling, the court did specify exactly what the town would need to do to succeed with such an action in the future. Town Meeting has authorized the Board to proceed at its discretion. Meanwhile, The Board of Selectmen had sought other means of securing beach access there, through a program of voluntary easements to the town, in exchange for town management of the beaches and tax benefits to the property owners. This visionary program languished in formation though, and had never been adopted by the Board of Selectmen.

The Board acted on this in June, by adopting Nantucket's first Beach Management Plan, a necessary component of any voluntary easement program. In July, the Board adopted the "One Big Beach" model easement, and engaged an

experienced project manager in real estate issues to coordinate the outreach and communication with the property owners in the vicinity of the land takings. As negotiations continue, the BOS will need to determine, soon, whether/when to resume the eminent domain proceedings.

Wastewater Issues -- Paying for improvements:

The 2005 Town Meeting had voted to allocate 1/3 of the cost of the upgrades at the surfside wastewater treatment plant to the tax base, leaving the remainder to be paid by the sewer enterprise fund, as determined by the BOS in its role as sewer commissioners. As promised at town meeting, the board moved quickly to allocate that remaining cost between existing users and new users of the plant. In April, the board voted to implement the concept of a privilege fee for new users of the plant. Over the summer, the board convened public hearings to review the funding for the Sconset treatment plant, and how the privilege fee concept could apply to that project, as well. The town engaged consultant Mark Abrahams to review the many questions raised during those hearings, as to how the town might separate the Sconset sewer fund. That report is due by the end of March.

Growth Management dialogue:

Growth Management, of course means different things to people. Restrict? Mitigate? Accommodate? The Board of Selectmen has been supportive of the planning board's master plan process that encourages input from the entire community. The initiatives presently under way at the planning board will give our planning decisions the force of law.

The Board of Selectmen facilitated an ongoing public dialogue on growth management options under consideration, with updates from the Planning Director in May, June, September and March. This new direction is exemplified in articles 27 thru 37 at the 2006 town meeting. At the request of the planning board, the board also included a series of questions relating to growth management on the election ballot for April 11.

Town meeting's direction, along with data from the survey and the ballot questions will fuel the project for the next round. The Board of Selectmen will continue to work with the planning board on developing the town's master plan in an open, public forum.

Additional Goals identified.

The board reviewed the goals of the previous BOS, adding specific goals for the coming year even as we began on the initial four. We set out precise targets that could be evaluated by objective standards, for each goal that we wanted to work toward,

Improve Administrative Management:

Administrative staffing was updated in July, at the beginning of the fiscal year, in accordance with the budget approved at Annual Town Meeting, 2005.

The board is reviewing the town's committee management, including missions, "sunset" provisions and term limits, reporting schedules and diversity of viewpoints represented. A survey is underway, presently, and we expect recommendations from the Town Administrator by June 1st.

Improve and Protect Our Water:

Storm water run off: the objective to establish a schedule for storm water drainage improvements is detailed in the board's capital budget which has been sent on to the finance committee.

Last summer, the board heard from DPW director Willett, and voted to set the town's priorities of the Comprehensive Wastewater Management Plan (CWMP) by moving ahead with the draft proposals, except for the Madaket area treatment plan, which is deferred pending any decisions from the state Department of Environmental Protection.

The board endorsed and adopted Nantucket's septic management plan, developed by the health department, and advanced the priority given to that plan under the draft CWMP.

Updates to the 1993 Harbor Plan are nearly complete, with the assistance of the Urban Harbors Institute of UMass, Boston. The board is expecting draft recommendations at its meeting of April 12.

Transportation Solutions:

The board reconsidered its objective to finalize these longstanding plans, based upon the input from the public and the finance committee. In October, the board voted to refer the matter to the planning department for further review in determining potential uses of the entire area.

Other Issues arose.

Statutory Requirements:

While proactive initiatives are important and exciting to a forward looking board, we would need to make sure that we allowed enough time for the more routine work that is required.

A selectman's responsibilities are enumerated through hundreds of statutes. Many of the routine functions of government require that the board conduct public hearings as a matter of course. Similar requirements apply to the County Commissioners and the Board of Health.

The board has set aside one meeting per month, specifically devoted to the necessary public hearings. Presently those sessions are scheduled for the 3rd Wednesday of each month.

Scheduling the hearings this way means that there will sometimes be a few weeks before an applicant can get onto the agenda. It does free up the other meeting time for selectmen to focus on the goals, and it is consistent with the idea of organizing the meeting schedules for effective staff work. Recently, the Town Government Study Committee had a consultant in to make recommendations, and this is one specific suggestion that we already have in place.

Quality of Life issues:

The February deer hunt of 2005 did not go well for Nantucket. The board petitioned the Massachusetts Department of Fish and Wildlife to schedule a public hearing in the fall, to consider rescinding that hunting season.

The board joined litigation involving the proposed Great Harbor Yacht Club. After GHYC included land claimed by the Town of Nantucket in its appeal of the determination as to the historic high water line, the Board of Selectmen petitioned the court to join that appeal in order to protect the town's rights.

Solid Waste:

The Massachusetts Department of Environmental Protection's ban on wood waste going into landfills has eclipsed the board's goal to adopt a strategy to eliminate the solid waste enterprise fund deficit(s). Nantucket has subsidized its household waste disposal costs for many years with fee revenue received for construction and demolition debris. Beginning with the ban on July 1, that revenue stream will come under intense pressure when the costs of off-island shipment must be added to the fees; and with the likelihood that some of the revenue will be diverted to private sector alternatives.

Upcoming Proposals: What is on the horizon?

Next month, the board will begin the cycle again. We will review the mission and established goals in light of the direction and decisions that come from the voters at town meeting, and in the ballot questions at the polls.

Present goals carry forward.

Municipal Finance:

- We will need to decide how we can best facilitate the new direction toward multi-year planning in the budget and review processes. In conjunction with the ongoing review of the town's many committees, we will want to look at the 2003 finance committee survey, and see how we can help the finance committee function at peak effectiveness.
- I will recommend to the board that we expand on the departmental reporting to include a public review of current spending within each department. With the board's approval, we will ask the administration and department heads to review present spending as it relates to the board's established goals.

Beach Access:

- The board will need to assess the level of interest we have been able to generate among property owners for the program of voluntary beach easements. We will need to decide what else might be done to secure permanent public access to Nantucket's beaches.

Wastewater Issues:

- Town meeting continues to see a surprising number of articles asking that the sewer districts be extended. I will ask the board to develop and recommend criteria by which proposals for extension of the sewer districts may be evaluated. Town meeting established the districts (town and Sconset) in order to protect the town's investment in the new wastewater treatment plants. Since the inclusion of a property within a sewer district confers a right to that property, as well as a commensurate obligation to the town; and, since each new admission may create standards of precedence that will affect future cases, any expansion of the districts needs to be based on sound public policy.

Growth Management:

- This must work from where the common agreement is DEFINED within government's purview. Nobody has a veto, nobody dictates. Everyone who wishes to participate is responsible for helping to move forward. Sadly, some activists prefer the "boycott and snipe" approach and that is

no good at all. We must continue to work the big issues in public, and I ask the Political Action Groups to concentrate their energies on proactive participation.

New issues arose – likely to be incorporated.

Solid Waste Disposal (methods and costs):

- This year should bring resolution in the town's arbitration case with Waste Options, the operator of Nantucket's landfill.
- The board will need to provide a consistent policy direction if we expect the town administration to oversee whatever is left of this contract effectively.

BOH: tick borne diseases.

- As the board of health, we will need to see what role the local government can have in reducing the incidence of tick borne diseases.

Awareness of the structure of Town Government:

- The Town Government Study Committee will be making recommendations in another year. The committee's initial focus on the term "Town Manager" vs. "Town Administrator" has expanded according to the mission statement adopted by the committee and approved by the Board of Selectmen. Anecdotal information indicates that the issues on the minds of most voters have more to do with the legislative function than with the administrative function of the town. It is incumbent on the government study committee to look into this thoroughly. We may all cherish the institution of Town Meeting, yet the open mind will welcome an examination of the limitations on town meeting form of government, and will vigorously explore the pros and cons of other legislative possibilities. Ultimately it is up to each of us. The "Ask not..." rhetoric of 1961 is true and applicable today to local government. The question of the moment is to explore what together we can do to improve the effectiveness of local government.

Other goals will be articulated by the selectmen as we begin again, post election.

Please forward your suggestions to Nantucket Board of Selectmen, 16 Broad St., Nantucket, MA 02554

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